

In re application:

Group Art Unit: 3732

Examiner: John J. Wilson

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to the requirements of 37 CFR 1.97 and 1.98, Applicants hereby request that the references listed in the attached form PTO/SB/08b be considered and made of record in the above-identified application. Copies of all of the references cited are enclosed. This Information Disclosure Statement is being filed prior to the mailing date of a final action or Notice of Allowance. The fee of \$180 pursuant to CFR1.17(p) is enclosed.

This matter is the subject of related litigation of the United States District Court, Eastern District of New York, in Civil Action 03-CIV 4934(CBA), entitled Robert J. Sicurelli, Jr. and Samuel Masyr, Plaintiffs vs. Jeneric/Pentron, Inc. et al, Defendants.

Respectfully submitted,

By Jennifer P. Yancy
Jennifer P. Yancy

11/22/2008 Reg. No. 472003 09990932

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180.00 OP

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(703) 415-1500
November 21, 2006

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Substitute for form 1449B/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Application Number	09/990,392
				Filing Date	11/21/2001
				First Named Inventor	Robert Sicurelli
				Art Unit	3732
				Examiner Name	John J. Wilson
				Attorney Docket Number	Sicurelli
(Use as many sheets as necessary)					
Sheet	1	of	1		

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		Civil Action No. 03-Civ 4934(CBA), Plaintiff's Complaint And Demand For Jury Trial, dated September 26, 2003 with copies of relevant patents cited therein	
		Civil Action No. 03-4934 (CBA)(SMG), Defendant's Answer And Counterclaims filed November 13, 2003	
		Civil Action No. 03-Civ.4934(SLT), Plaintiff's First Amended Complaint And Demand For Jury Trial, filed November 29, 2004 with copies of relevant patents cited therein	
		Civil Action ZNo. CV-03-4934(CBA)(SMG), Defendant Jeneric/Pentron's First Amended Answer And Counterclaims Jury Trial Demanded dated December 29, 2004	
		CV-03-4934(SLT), Coltene/Whaledent Inc.'s Answer, Affirmative Defenses And Cross-Claims filed December 21, 2004	
		CV-03-4934(SLT)(KAM), Defendant Jeneric/Pentron's Fourth Supplemental Answer To Plaintiffs' Interrogatory No. 7 Dated October 31, 2005	
		Civil Action No. CV-03-4934(SLT)(KAM), Defendants Jeneric/Pentron, Inc., Pentron Clinical Technologies, LLC And Pentron Corporation, Inc.'s Fifth Supplemental Answer To Plaintiffs' Interrogatory No. 7 dated May 18, 2006	
		Civil Action No. CV-03-4934(SLT)(KAM), Report Of Expected Expert Testimony Of Cornelis H. Pameijer Pursuant To Federal Rule Of Civil Procedure 26(a)(2)(B) dated November 18, 2005	
		Civil Action No. CV-03-4934 (SLT)(KAM), Report Of Expert Testimony Of Ranga Pitchumani Pursuant To Federal Rule Of Civil Procedure 26(a)(2)(B) dated November 18, 2005	
		C.A. No. 03-4934(SLT)(KAM), Rebuttal Expert Report Of Anthony Storace, Ph.D., P.E. On Behalf Of Dr. Robert Sicurelli And Dr. Samuel Masyr dated December 30, 2005	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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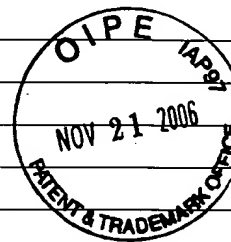
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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	09/990,392
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Examiner Name	John J. Wilson
Attorney Docket Number	Sicurelli



Sheet 1 of 1

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Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		Civil Action No. CV-03-4934(SLT)(KAM), Transcript of Videotaped Deposition Of Cornelius H. Pameijer, held at the offices of Ropes & Gray LLP, 1251 Avenue of the Americas, New York, New York, pursuant to Notice, before Francine Sky, a Notary Public of the State of New York dated February 23, 2006	
		United States District Court Eastern District of New York, Transcript of Videotaped Examination Before Trial Of Dr. Ranga Pitchumani dated February 24, 2006	
		Letter dated September 22, 2006 of William J. Cass, Esq., with Exhibits to U.S. District Judge Sandra L. Townes	
		Letter dated September 29, 2006 of Bradford J. Badke, Esq. to U.S. District Judge Sandra L. Townes	
		Civil Action No. CV-03-4934 (SLT)(KAM), Plaintiffs' Responses To Defendants' Statement Of Material Facts On Motion For Summary Judgment Of Non-Infringement And Patent Invalidity Pursuant To Local Civil Rule 56.1 dated October 13, 2006	

Examiner
SignatureDate
Considered

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